DARBY & DARBY

805 Third Avenue New York, NY 10022 Tel: (212) 527-7700 Fax: (212) 753-6237

ATTORNEY DOCKET NO.: 2309/0H713

DATE: November 25, 2002

## TELECOPIER TRANSMISSION COVER SHEET

NUMBER TRANSMITTING TO: 1-703-872-9471

TO: United States Patent and Trademark Office

EXAMINER: GUARRIELLO, John J.

ART UNIT: <u>1771</u>

FROM:

Alphonso A. Collins

PAPER(S) BEING TRANSMITTED:

Terminal Disclaimer to Obviate a Double

Patenting Rejection

NO. OF PAGES (INCLUDING COVER SHEET):

4

COMMENTS:

## CERTIFICATION OF FACSIMILE TRANSMISSION

Serial No.:

09/675,890

Filed: September 29, 2000

I hereby certify that these papers are being facsimile transferred to the United States Patent and Trademark Office on the date shown below.

Rochelle Flowers

November 25, 2002

Date

Signature

Name

M:\2309\0h713\RLF0092.WPD

**2**1002

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper or, if this paper is a transmittal letter, every other paper or fee referred to therein, is being facsimile transferred to the Commissioner of Patents & Trademarks at the United States Patent and Trademark Office, Washington, DC 20231, on the date shown below

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

AN 11-26-02

(Date of Transmission)

Customer No.:

Docket No.: 2309/0H713

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nachito TAKEUCHI et al.

Serial No.: 09/675,890

Art Unit: 1771

Confirmation No.: 3384

Filed: September 29, 2000

Examiner: J. GUARRIELLO

For:

WATER DECOMPOSABLE FIBROUS SHEET CONTAINING GEL

COMPOUND

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION

Assistant Commissioner of Patents Washington, DC 20231

November 25, 2002

Sir:

The undersigned is an attorney of record in the above-identified patent application, of which Uni-Charm Corporation, located at 182 Shimobun, Kinsei-Cho,

is the owner of the entire right, title, and interest in the above-identified patent application by assignment from the inventors.

The assignment document is dated and was recorded by the U.S. Patent and Trademark Office on September 29, 2000, at Reel 011197, Frame 0955.

Uni-Charm Corporation hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,287,419 and hereby agrees that the granted patent shall be enforceable only during such period that the legal title to said granted patent shall be the same as the legal title to any U.S. Patent granted on the above-identified patent application, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

The statutory fee of \$110.00 for a disclaimer is enclosed.

Uni-Charm Corporation does not disclaim any terminal part of any patent granted on the above-identified U.S. patent application prior to the expiration date of the full statutory term of the patent granted to U.S. Patent Application No. 09/675,890, in the event that the latter later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid;

Docket N . 2309/0H713

- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a); or
- has all claims cancelled by a reexamination certificate.

Respectfully submitted,

Alphonso A. Collins

Reg. No. 43,559

Attorney For Applicant(s)

DARBY & DARBY P.C. Post Office Box 5257 New York, NY 10150-5257 (212) 527-7700